

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed August 26, 2004. At the time of the Office Action, Claims 1-21 were pending in this Application. Claims 1-5, 10-13, 18 and 19 were rejected. Claims 6-9, 14-17, 20 and 21 were objected to. Claims 1 and 12 have been amended to more distinctly claim Applicant's invention. Claims 3, 6, and 14 have been cancelled without prejudice or disclaimer. New independent Claims 22 and 23 are submitted. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §102

Claims 1-5, 10-13, 18 and 19 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,943,995 issued to Yutaka Niwa et al. ("Niwa et al."). Applicant respectfully traverses and submits the above-mentioned claims are patentable over Niwa et al. Independent Claims 1 and 12 have been amended to make clear the present invention is patentable over Niwa et al. In particular, Claim 1 has been amended to incorporate the limitations of allowable Claim 6 which includes the limitations of Claim 3. Claims 3 and 6 have been canceled. Claims 2, 4, 5, and 7-11 depend from allowable Claim 1 (old Claim 6) and thus, Applicant submits Claims 1, 2, 4, 5, and 7-11 are in condition for allowance.

Claim 12 has been amended to incorporate the limitations of Claim 14. Claim 14 was noted as considered allowable by the Examiner in the previous Office Action. The Examiner noted the reason for allowability as follows: "a ring shaped element (11) disposed between the pretensioning element (4) and sleeve-like component (8)" is not shown in the prior art of record. Claim 12 now incorporating the limitations of Claim 14 is thus, in allowable form. Claims 13 and 15-21 are dependent on Claim 12 and thus, are in condition for allowance.

Allowable Subject Matter

Applicant appreciates Examiner's consideration and indication that Claims 6-9, 14-17, and 20-21 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicant has amended independent Claims 1 and 12 and provided remarks to the Examiner to overcome these

rejections and respectfully requests withdrawal of all rejections and allowance of Claims 1, 2, 4, 5, 7-11, 12, 13 and 15-21 as amended.

Applicant also requests allowance of new Claims 22 and 23 which are patentably distinct over the art of record. It is submitted that the "sleeve-like component(s)" referred to by the Examiner in Niwa et al. is a "cylinder screw" and not a "sleeve" as claimed. Indeed, a review of "cylinder screw 60" in Figure 1 of Niwa et al. with the "sleeve 8" in Figures 1-3 of the present application illustrates the difference. New Claims 22 and 23 make clear that the claimed "sleeve" is not in contact with the cylinder head which is patentably distinct from the Niwa et al. "cylinder screw 60" which is in contact with the head, *i.e.*, directly but threaded therein.

CONCLUSION

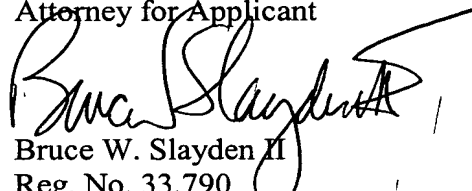
Applicant has now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration of Claims 1, 2, 4, 5, 7-13, and 15-21 as amended and new Claims 22 and 23.

Applicant encloses a Fee Transmittal and a check in the amount of \$88.00 for the one independent claim (over 3) which has been added and believes there are no other fees due at this time. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P. in order to effectuate this filing.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2606.

Respectfully submitted,

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